

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO**

In re

PROVISIONS FOR MANDATORY
ELECTRONIC CASE FILING

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SIXTH AMENDED GENERAL
ORDER NO. 03-1

ORDER

THE COURT FINDS that:

Federal Rules of Civil Procedure 5(e) and 83, Federal Rules of Bankruptcy Procedure 5005(a)(2), 9011, 9029 and 9036, and Local Bankruptcy Rules 5005-2(b) and 9037-1 authorize this Court to establish practices and procedures for filing, signing, maintaining and verifying pleadings and documents by electronic means; and

On September 6, 2002, by General Order 02-2, the Court established and published such procedures in the Electronic Case Filing Administrative Procedures Manual, and reserved the authority to modify such procedures from time to time in keeping with the needs of the Court; and

On May 21, 2003, by General Order 03-1, the Court set a January 1, 2004, date for requiring that all pleadings and other papers in all cases and proceedings be filed electronically, with certain exceptions.

NOW, THEREFORE, IT IS ORDERED that Fifth Amended General Order 03-1 is further amended to read as follows:

1. Except as provided in paragraph 2, below, the Court adopts mandatory Electronic Case Filing, as follows:
 - a. All pleadings and other documents filed by attorneys in all cases and proceedings shall be filed electronically according to the procedures established by the Court.
 - b. All documents filed by other registered Electronic Case Filing users shall be filed electronically according to the procedures established by the Court.
 - c. All creditors not represented by an attorney who file more than 25 proofs of claim in any 12-month period shall file the proofs of claim – as well as all transfers, assignments, and withdrawals of proofs of claim – electronically according to the procedures established by the Court. When a creditor reaches this threshold, the Clerk shall notify the creditor of the requirement to file the documents electronically. The creditor shall then have thirty days in which to comply. Any paper filings of the creditor after the 30-day period are subject to rejection by the Court.

2. Mandatory Electronic Case Filing shall not apply under the following circumstances:
 - a. Except as otherwise provided in paragraph 1, above, parties without legal representation (*pro se* parties) shall file all pleadings and other documents on paper and not electronically.
 - b. If either the Court's or a registered user's electronic filing equipment is temporarily inoperable, users may file pleadings and other documents on paper, as provided in section II C of the Electronic Case Filing Administrative Procedures Manual.
 - c. A pleading or claim filed by an attorney on his or her own behalf may be filed on paper. If such attorney is a registered Electronic Case Filing user, the pleading or claim may be filed either electronically or on paper.
 - d. All creditors not represented by an attorney who file fewer than 25 proofs of claim in any 12-month period, and who are not registered Electronic Case Filing users, shall file all documents on paper.
 - e. All documents set forth in section III A of the Electronic Case Filing Administrative Procedures Manual, as it may be amended from time to time, shall be filed on paper and not electronically unless specifically authorized by the Court.
 - f. Motions for leave to file a document on paper may be filed on paper or electronically.
 - g. Any document for which prior authorization to file on paper has been obtained from the Court upon motion and order for good cause shown may be filed on paper.
3. Those provisions of General Order 02-2 that are inconsistent with the provisions of this Order are hereby rescinded.
4. The Clerk of this Court shall prepare a notice of the entry of this Order to be published in the various legal news publications functioning in the counties served by this Court. The Clerk shall further cause the notice and the Electronic Case Filing Administrative Procedures Manual to be distributed at the Clerk's divisional offices in Akron, Canton, Cleveland, Toledo and Youngstown, and shall post this General Order and the Electronic Case Filing Administrative Procedures Manual on the Court's Internet site.

Dated: April 5, 2010

/s/ Marilyn Shea-Stonum
Marilyn Shea-Stonum
Chief Judge, United States Bankruptcy Court

/s/ Russ Kendig
Russ Kendig
United States Bankruptcy Judge

/s/ Richard L. Speer
Richard L. Speer
United States Bankruptcy Judge

/s/ Mary Ann Whipple
Mary Ann Whipple
United States Bankruptcy Judge

/s/ Randolph Baxter
Randolph Baxter
United States Bankruptcy Judge

/s/ Arthur I. Harris
Arthur I. Harris
United States Bankruptcy Judge

/s/ Pat E. Morgenstern-Clarren
Pat E. Morgenstern-Clarren
United States Bankruptcy Judge

/s/ Kay Woods
Kay Woods
United States Bankruptcy Judge